

1 Q Do you have any knowledge as to her reputation for
2 character?

3 A I have no knowledge one way or another.

4 Q Okay. The next document that I'll have your
5 counsel for the SFUSD go over with you is a declaration of
6 William Helgeson that appears to have been executed on
7 January 16, 1998, as part of the opposition to Petition to
8 Deny that was filed by SFUSD on January 20, 1998 at the
9 Federal Communications Commission.

10 MR. SHOOK: Off the record.

11 (Off the record at 10:52 a.m.)

12 (Back on the record at 10:58 a.m.)

13 MR. SHOOK: Back on the record.

14 THE WITNESS: Do you want this back or just hold
15 it?

16 MR. SHOOK: Why don't you hold onto it. I'll tell
17 you what, why don't you put it between yourself and Ms. Repp
18 so that it can be referred to as needed as we go along here.

19 THE WITNESS: Okay.

20 BY MR. SHOOK:

21 Q So, first off, on page two there appears to be a
22 signature and I recognize that you've got some sight
23 difficulties but, if you could please identify that
24 signature for me?

25 A The signature is mine, it appears to be mine, yes.

1 I would say that's mine.

2 Q Do you recall executing this declaration?

3 A Yes.

4 Q Now, if you could walk us through generally how
5 this, and then we'll get more specific as we go along but,
6 if you could give me a general idea of how this declaration
7 came into existence?

8 A As I recall, our legal representative, Earnest
9 Sanchez, prepared this document, asked me to --

10 MS. REPP: Could I just interject, you can discuss
11 -- to please not discuss the substance of the advice given
12 to you by Mr. Sanchez.

13 THE WITNESS: Okay. This was presented to me by
14 Mr. Sanchez, or probably, I can't recall if it was by
15 Mr. Sanchez or by Mr. Ramirez, and I reviewed it, the
16 information, read through it carefully, and then I signed
17 it. Is that --

18 MR. SHOOK: That's a fair starting point.

19 THE WITNESS: Okay.

20 MR. SHOOK: I recognize I may jump into
21 objectionable territory so I fully expect to hear from you
22 if that's so.

23 MS. REPP: Okay.

24 BY MR. SHOOK:

25 Q In terms of how this declaration was prepared, did

1 you handwrite any information that appears in this
2 declaration?

3 A I don't recall, no, I don't recall that at all.

4 Q In other words, did you, you know, a draft of the
5 declaration, did you write out a draft of the declaration by
6 hand?

7 A No.

8 Q Did you type out a draft of the declaration, you
9 know, at your computer terminal or whatever it is that you
10 would have used?

11 A No, I have no recollection of that.

12 Q Did you speak with someone, did you provide
13 someone the factual information that appears in your
14 declaration?

15 A I certainly had conversations with Jeff Ramirez,
16 once the license challenge was filed and we had to respond
17 to it, with the services of Mr. Sanchez. And I certainly
18 had conversations with Mr. Ramirez, and I believe Mr.
19 Sanchez as well, regarding what would be the content of
20 whatever I would declare.

21 Q Were you asked by Mr. Ramirez to provide a
22 declaration?

23 A I don't recall who asked me to make the
24 declaration.

25 Q But somebody asked you to provide a declaration.

1 A No. I didn't have a need. It was one of those, I
2 didn't feel I had the need to look for something specific,
3 no.

4 Q During the period of time when you were acting
5 Station Manager, did you ever ask anyone at the station to
6 look the Public File drawer to tell you what was there and
7 what wasn't there?

8 A In that period in 1998, I don't recall doing that,
9 no.

10 Q And during the period 2000 to 2001, did you do it
11 then?

12 A I recall at that point, in early 2001, going
13 through there and I was still the GM, at that point I didn't
14 know exactly when Nicole Sawaya was, when she was going to
15 be appointed, you know, it was still kind of in abeyance,
16 and felt one of the things I should do was really make sure
17 that this Public File at this point is brought up to, you
18 know, at that point take a look and see what was in there,
19 or if something needed to be put in, put it in.

20 Q So, this would have been in early 2001 you would
21 have looked at the file drawer to see what was there?

22 A Yes.

23 Q And was it in connection with any -- or how did it
24 come about that you chose to look at the Public File drawer
25 at that point in time?

1 A Most likely --

2 Q No, from what you remember. This isn't a task
3 that we would necessarily want to do because it's so much
4 fun, and this is something that you're now acting Station
5 Manager, you've been so for a couple of months and all of a
6 sudden now you're going to be looking through the Public
7 File drawer. Is there anything that you can recall that
8 triggered your action in doing that?

9 A I believe it was a conversation with Mr. Sanchez.
10 MS. REPP: Bill --

11 THE WITNESS: But, I may have had -- I'm sorry.

12 MS. REPP: If you could keep your responses on
13 this general and again not get into the specifics of what
14 Mr. Sanchez advised you.

15 THE WITNESS: Okay. I don't recall for certain at
16 that point, I couldn't say with certainty my, what caused my
17 action at that point other than it's time to take a look at
18 it, what caused me to go into that in 2001 other than
19 should.

20 BY MR. SHOOK:

21 Q So, for whatever reason, you're now looking at the
22 station Public File and that's basically for the first time
23 that you're looking through it?

24 A For specifically overall content, yes, overall
25 what should be in a Public File versus what is in the Public

1 File, yes.

2 Q As a result of that review, what did you
3 personally do, you went through -- let me start over again.
4 You went through the Public File drawer, you opened it up
5 and you started to look through and see what was there?

6 A Yes.

7 Q Now, after doing that what did you do?

8 A After doing that it appeared to me that what was
9 missing, or what should have been there, in my opinion, that
10 wasn't there were issues covering certain periods. There
11 seemed to be periods of time right up -- that there was no
12 information there regarding what programs and issues for
13 certain periods of time.

14 Q And what did you do as a result of that, you know,
15 coming to that conclusion?

16 A Sure. I said, what can I legitimately put in the
17 file that would, so that if someone were to look at it,
18 accurately be able to see, ah ha, this is what they were
19 doing, you know, over a certain period of time.

20 Q When you came to the conclusion that there were
21 documents that were missing from the Public File that should
22 have been there, did you talk with Mr. Ramirez as to how it
23 was, you know, that you came to that conclusion?

24 A No, this was in 2001.

25 Q No, I recognize that by this time he's gone.

1 A Yes.

2 Q But because he was your Station Manager at a
3 certain point in time and there were allegations made that
4 concerned Mr. Ramirez and his activities with respect to the
5 Public File, my question is, when you looked, in 2001, and
6 saw what you saw, did you then call Mr. Ramirez to discuss
7 with him whatever problems you thought may have existed?

8 A No, I didn't.

9 Q Did you discuss with anyone the problems that you
10 thought may have existed?

11 A I don't recall discussing with anyone.

12 Q Did you bring to anyone's attention that there
13 might be documents that were missing, that should have been
14 there?

15 A At the time I may have brought it to -- and this
16 may -- my time line may be off on this, what I'm saying
17 here, because this may be shortly or also when Nicole Sawaya
18 came on in 2001, that we believed that there were -- that we
19 had to put in an Ownership Report in the file, or even file
20 it with the FCC for a period of 2001, there should have been
21 one in there. And at that point we, and I can't recall if
22 it was I who did it before Nicole Sawaya did it, or before
23 Nicole Sawaya came in, or probably or maybe after she came
24 on, because I know that Jackie Wright, who was at that point
25 the School District Administrator responsible for the

1 station, signed those. My recollection is she didn't come
2 on until early 2001, only a couple of months before Nicole
3 Sawaya did, so I can't remember the exact time line of her
4 signing the Ownership Reports, if they were before or after
5 Nicole Sawaya came on in March.

6 Q So, at this point, in early 2001, you've looked at
7 the station Public File?

8 A Yes.

9 Q And at the least there is an Ownership Report that
10 you think should be there but is not there?

11 A Uh-hum.

12 Q And did you then prepare that Ownership Report?

13 A I believe that I did or I did with Nicole if she
14 was there at that point, in early 2001.

15 Q Okay. Now, Nicole came to the station roughly
16 when?

17 A Approximately first of March.

18 Q Did you ever discuss with Nicole that there were
19 documents that should have been in the Public File that
20 weren't there?

21 A By the time she got -- after she became General
22 Manager, she was aware that I was preparing -- we were also
23 -- that I was preparing some documents, that that was
24 something that I had seen needed to be done. And so that
25 was one of the first things I discussed with her when she

1 started.

2 MR. SHOOK: We're going to have to go off again.

3 (Off the record at 11:33 a.m.)

4 (Back on the record at 11:40 a.m.)

5 MR. SHOOK: Back on the record.

6 BY MR. SHOOK:

7 Q Mr. Helgeson, did the Commission's February 5,
8 2001 letter come to your attention?

9 A I believe it came, it's addressed to Mr. Sanchez,
10 it didn't come -- if I got it, it would have come from
11 Mr. Sanchez.

12 Q Right. I recognize that the letter is addressed
13 to Mr. Sanchez. My question is, did a copy of the letter
14 eventually come to you?

15 A I don't recall if I saw the letter.

16 Q Now, your counsel for SFUSD had read you questions
17 or directives, I guess is more properly the way to put it,
18 one, two, four and five. Do you recall having those
19 directives sent to you for some kind of action?

20 A I may have had a conversation with --

21 MS. REPP: Yeah, I think your concern is -- can we
22 rephrase the question in a way that might be easier for
23 Mr. Helgeson to answer and not get into details of
24 conversations.

25 MR. SHOOK: I'll see if I can do that.

1 BY MR. SHOOK:

2 Q Looking at directive one, directive one reads, 'On
3 August 1, 1997 when the subject license renewal application
4 was filed, did the KALW FM Public Inspection File contain
5 all the Ownership and supplemental Ownership Reports
6 required to be kept in the file by then Section 73.3527.'
7 Did you recall, do you recall having to respond in anyway to
8 that directive?

9 A My recollection is that that had been responded to
10 in the 1998 directives, in our pleadings as far as that was
11 one of the charges of GGPR in their license challenge. My
12 recollection is that that had been answered already, either
13 through paperwork submitted by our attorney.

14 Q So, you do not recall in -- now this would have
15 been at a point in time when you were acting Station Manager
16 but roughly also about the time Ms. Sawaya was going to
17 start as General Manager?

18 A February 2001 she hadn't started yet.

19 Q She hadn't started yet. So, in February 2001
20 you're still acting Station Manager, and the Commission has
21 sent the letter, and in that letter there are five
22 directives. And the first directive, it appears simply
23 calls for a yes/no response and then of course we can always
24 provide an explanation if we want to add additional
25 information, but the directive itself is relatively

1 straightforward, it basically asks for a yes/no response.
2 And my question is, did this directive number one, come to
3 you for a yes/no response?

4 A I can't recall if I was asked for a yes/no
5 response.

6 Q Directive number two reads, 'On August 1, 1997,
7 did KALW FM Public Inspection File contain all of the
8 Issues/Programs List required by then Section 73.3527?' And
9 then a second question in directive two, 'Did any lists that
10 were in the file contain the information required by Section
11 73.3527?' And then there's the footnote three that your
12 counsel had read to you before that explains what's in the
13 rule itself. Did directive number two come to your
14 attention for a yes/no response?

15 A I can't recall.

16 Q Moving to directive four, 'If the answer to any of
17 the above questions', and there were three of them, 'is no,
18 detail when and precisely what steps were instituted to
19 correct any problem and ensure that the Public Inspection
20 File contained all requisite materials.' Do you recall
21 providing any information whatsoever in response to
22 directive number four?

23 A I don't know how to say this, my only -- I had
24 conversations with our attorney.

25 MS. REPP: I think perhaps that's what you need to

1 say. May I just ask, was the specific question presented to
2 you, did you have either the letter or a summary of the
3 letter --

4 THE WITNESS: I don't recall --

5 MS. REPP: -- read to you or emailed to you?

6 THE WITNESS: I don't recall getting that from
7 the attorney.

8 MS. REPP: But, you do recall providing
9 information to assist in the response of SFUSD to the FCC on
10 this specific question?

11 THE WITNESS: I don't recall what information I
12 provided or what I was asked to provide at that time.

13 MS. REPP: You recall an effort to provide
14 information but you don't recall the specifics of the
15 effort?

16 THE WITNESS: I remember -- I don't recall -- I'm
17 having trouble recalling exactly what was requested or what,
18 you know, to do this or check to make sure that, I don't
19 recall the specifics other than to, you know, let's make,
20 you know, it would be a good -- I don't know.

21 MS. REPP: Are you concerns, because I know we've
22 talked about the attorney/client privilege, are you
23 concerned that you're getting into that arena?

24 THE WITNESS: Yes, I mean my conversations at this
25 point in February would have been pretty much with regarding

1 the Public File in any sense, would have been just with our
2 attorney.

3 MS. REPP: Well, on that basis do we have enough
4 information on this line of questioning, given that we are
5 bumping into the attorney/client privilege?

6 MR. SHOOK: I think we have enough with respect to
7 directive four. I was going to move on to directive five.

8 MS. REPP: Go ahead.

9 BY MR. SHOOK:

10 Q Directive five reads, 'As of the date of this
11 letter', and that's February 5, 2001, 'is the KALW FM
12 Public Inspection File now complete?' And then there's a
13 subpart (a), which reads, 'If the answer to any of questions
14 1-3 above is no, and presuming that the Public Inspection
15 File is now complete and current, give the date on which the
16 KALW FM Public Inspection File contained all required
17 materials.' So, really you're looking at a couple of
18 questions or directives here, the first being a relatively
19 straightforward yes/no, is the Public Inspection File
20 complete as of February 5, 2001? Do you recall that
21 directive being given to you?

22 A I recall approximately that time that could have
23 been very likely could have been what prompted me to go into
24 the KALW Public File at that time, after not looking at it.

25 Q Now, so you've now looked, you're now looking at

1 the KALW Public Inspection File and conceivably it's in
2 response to this directive, which is, is the file now
3 complete?

4 A Right.

5 Q What assessment did you make as a result of
6 looking in the Public Inspection File?

7 A I made an inventory where I believed things, there
8 should be things in there. It didn't look to me to be
9 complete because I obviously was putting documents in there,
10 in no sense trying to fool anybody, given the dates, I mean
11 I put them in there at that date, because I had not looked
12 at the Public File before then for anything. That was my
13 first, you know, I was looking there, said ah ha, we need
14 to, you know, there's issues in this period of time, I can't
15 find something for this period of time or this period of
16 time, and so I did my earnest effort to put something in
17 there for that period of time.

18 Q No pun intended, earnest effort?

19 A No, no pun intended. Thank you.

20 Q Okay. So, if I'm understanding what you just told
21 me, if you were to respond directly to directive number
22 five, which is 'as of the date of this letter is the KALW FM
23 Public Inspection File now complete', on the basis of what
24 you've just told me, the yes/no response to that directive
25 should be no?

1 A I would say it should be no. That included
2 information certainly, you know -- yes.

3 Q With that being the case, with that answer that it
4 should have been no, the next part, the subpart of the
5 directive reads, 'If the answer to any of the questions 1-3
6 above', and that had to do with the Ownership Reports,
7 whether they were in there, the Programs Issues List,
8 whether they were in there, and the third directive, which
9 we really haven't concerned ourselves with, was the donor
10 list, if any of those, the answers to that were no, and
11 presuming that the Public Inspection File is now complete
12 and current, give the date on which the KALW FM Public
13 Inspection File contained all required materials. In other
14 words, you would have been providing a date that the file
15 wasn't complete but you've taken care of that and it's now
16 complete, so there would have been a date. Do you recall
17 providing such a date?

18 A I don't recall providing such a date, saying,
19 okay, it's now this date, it is now --

20 Q Right, it is March 2, 2001 and voila everything is
21 here?

22 A I hereby certify, yeah, I don't recall providing
23 that date.

24 MR. SHOOK: Unfortunately we're going to have to
25 go through this exercise again. We'll be off the record.

1 (Off the record at 11:52 a.m.)

2 (On the record at 11:58 a.m.)

3 MR. SHOOK: Back on the record.

4 BY MR. SHOOK:

5 Q Mr. Helgeson, counsel for SFUSD has just read to
6 you the five paragraphs that constitute the body of a
7 declaration, and the title of the declaration is
8 'Declaration of William Helgeson', and it reflects that it
9 was executed on April 5, 2001, and there is a signature that
10 appears above the typed name William Helgeson. Do you
11 recognize that signature?

12 A Yes.

13 Q And is that signature yours?

14 A Yes.

15 Q Do you recall signing the original of this
16 declaration?

17 A I couldn't say I recall signing the original three
18 years ago, three and a half years ago, but it does look
19 familiar.

20 Q Do you have any reason to believe that that is not
21 your signature?

22 A No.

23 Q Now, in terms of the contents of the declaration
24 itself, did you draft this declaration?

25 A No, I didn't.

1 Q Do you know who did?

2 A It was provided to me but I'm not, I do not know.

3 Q Did you provide anyone the factual information
4 that, for example, paragraph one, 'My name is William
5 Helgeson', that's relatively straightforward, 'my address
6 is', did you provide anyone your current home address?

7 MS. REPP: I object to the extent it's getting
8 into attorney/client privilege. Is there another way we can
9 -- I mean we can ask about --

10 MR. SHOOK: All right.

11 BY MR. SHOOK:

12 Q Let me put it to you this way, is the information
13 that 'my address is 184 Bonview Street, San Francisco,
14 California' correct?

15 A Yes.

16 Q As of April 5, 2001?

17 A Yes.

18 Q The second paragraph, 'I am employed by the San
19 Francisco Unified School District (SFUSD) as Program Manager
20 for KALW FM, this position is also termed 'Operations
21 Manager'..' That statement is true and correct as of April
22 5, 2001?

23 A Yes.

24 Q The next sentence reads, 'As various times over
25 the past several years', and I take it, it was supposed to

1 read 'At various times over the past several years, I have
2 served as KALW's acting Station Manager.' On April 5, 2001
3 that statement was correct?

4 A Yes.

5 Q The next sentence reads, 'I have been an employee
6 of SFUSD at the radio station since 1987", that statement is
7 correct as of April 5, 2001?

8 A Yes.

9 Q Paragraph three, first sentence, 'SFUSD's
10 attorneys have provided me with a copy of a letter that will
11 be provided to the Federal Communications Commission (FCC)
12 on behalf of SFUSD in response to a February 5, 2001 letter
13 of inquiry from the Audio Services Division of the Mass
14 Media Bureau of the FCC (response letter) along with copies
15 of several attachments to that letter.' That sentence is
16 true and correct as of April 5, 2001?

17 A I believe it is. I don't recall, when you say
18 being provided with, it wasn't a hard copy wasn't, here,
19 here's your copy, Bill.

20 Q Well, the statement reads, 'SFUSD's attorneys have
21 provided me with a copy of a letter that will be provided to
22 the Federal Communications Commission'. That would suggest
23 to me that the letter is in front of you, the April 5, 2001
24 letter, which was filed with the FCC on April 6, 2001, was
25 provided to you, a copy was provided to you?

1 A Okay. I would agree that one was shown to me,
2 yes. It was provided to me.

3 Q 'Along with copies of the several attachments to
4 that letter.' Now, we haven't gone into any detail about
5 what those attachments are, and we will talk about them but,
6 do you have any recollection that what you looked at before
7 it went to the FCC included attachments as well as the body
8 of the letter?

9 A I don't recall that.

10 Q Do you have any reason to believe that it did not
11 include the attachments that were filed at the FCC?

12 A I don't have any reason to believe that, no.

13 Q The next sentence reads, 'I have reviewed the
14 response letter and its attachments.' Now, the letter
15 itself is nine pages and there are multiple pages that
16 follow as attachments. I didn't count them all but I think
17 they're in the vicinity of about 30 pages or more all
18 tolled, so it was actually quite a fair amount of material
19 to look at. AS of April 5, 2001, was that statement
20 accurate that you had looked at the nine pages of the body
21 of the letter and as well as all of the attachments?

22 A I can't remember on April 5, 2001, what I was
23 looking at.

24 Q Do you have any reason to believe that you did not
25 look at the nine page letter as well as all of the

1 attachments?

2 A I don't have any reason to believe I didn't, no.

3 Q The next sentence reads, 'It is my understanding
4 that this response letter is to be filed at the FCC on or
5 before April 6, 2001.' I take it that your understanding on
6 April 5, 2001 was that this letter was going to be filed at
7 the FCC the next day?

8 A Um-hum.

9 Q That's a yes?

10 A Yes.

11 Q The next sentence reads, 'I have personal
12 knowledge of the factual matters set forth in the response
13 letter and its attachments.' Is that true as of April 5,
14 2001?

15 A I would say yes.

16 Q The next paragraph, paragraph four now, it's a one
17 sentence paragraph and it reads, 'The statements and other
18 factual allegations contained in SFUSD's response letter are
19 true and correct to the best of my personal knowledge and
20 belief.' I take it that statement is true as of April 5,
21 2001?

22 A Yes.

23 Q Paragraph five, the first sentence reads, 'I am
24 familiar with and have personal knowledge of the contents of
25 KALW's Public Inspection File.' Is that statement true and

1 correct as of April 5, 2001?

2 A Yes.

3 Q And that's in connection with what we talked about
4 a little while ago, you had personally looked through the
5 contents of that file drawer that contained the Public
6 Inspection File?

7 A Yes.

8 Q You had looked at what was there?

9 A Yes. The next sentence reads, 'All of the
10 Ownership Reports and supplemental reports provided as
11 attachments to the response letter, are true and correct
12 copies of documents that are maintained in KALW's Public
13 Inspection File, which copies were provided to SFUSD's
14 counsel so that they could be included as attachments to the
15 response letter and provided to the FCC.' That statement is
16 true and correct as of April 5, 2001?

17 A Yes.

18 Q The next sentence reads, 'Similarly, the sample
19 copies of KALW's Program Guide and of the NPR
20 Issues/Programs List are also true and correct copies of
21 documents that are maintained in KALW's Public Inspection
22 File, which were provided to SFUSD's counsel so that they
23 could be included as attachments to the response letter and
24 provided to the FCC.' That statement is true and correct as
25 of April 5, 2001?

1 A Yes.

2 MR. SHOOK: Now, at this point -- I guess we're
3 going to have to go off again.

4 (Off the record at 12:06 p.m.)

5 (ON the record at 12:12 p.m.)

6 MR. SHOOK: Okay, we're back on.

7 BY MR. SHOOK:

8 Q Mr. Helgeson, counsel for SFUSD has just read you
9 a portion, not the entirety but a portion of the response to
10 directive one, that was contained in the February 5, 2001
11 letter from the FCC. And the response to the directive
12 reads, 'On August 1, 1997, when the subject license renewal
13 application was filed, did the KALW Public Inspection Files
14 contain all of the Ownership Report and supplemental reports
15 required to be kept by then Section 73.3527?' The response
16 reads, 'Yes.' Is that 'yes' response accurate?

17 A My knowledge of that 'yes' response was based on
18 Jeff Ramirez saying it was, not a personal inspection of the
19 file myself on August 1st.

20 Q Did you, in coming to the conclusion that the
21 'yes' response was accurate, did you talk with Mr. Ramirez
22 on or about April 5, 2001?

23 A No, I didn't.

24 Q Did you ever discuss with Mr. Ramirez the basis
25 for his certification that Ownership Report and supplemental

1 reports required to be kept were in fact in the Public File
2 at the time the renewal application was signed?

3 A No, I didn't.

4 Q Did you have personal knowledge as to whether or
5 not all of those reports, the Ownership Reports and the
6 supplemental reports, were in the station Public File on
7 August 1, 1997?

8 A No, I didn't.

9 Q In the context of this letter, the April 6 or
10 April 5, 2001 letter that is being sent to the FCC, you are
11 the person, are you not, who is providing the 'Yes' answer
12 to this question?

13 A I don't know that on April --

14 Q Remember, we just went over a declaration that you
15 signed on April 5, 2001?

16 A Yes, right.

17 Q And according to that declaration all of the --
18 you had reviewed the letter that is being sent to the FCC
19 and that all of the information in there is correct to the
20 best of your knowledge?

21 A To the best of my knowledge was that I assumed
22 that what Jeff Ramirez had previously stated was correct.

23 Q But, you did not personally determine?

24 A On August 1, 1997, no, I didn't personally --

25 Q You had no personal knowledge as to whether on

1 August 1, 1997 all of the Ownership Reports and supplemental
2 reports were in fact in the file?

3 A Not on August 1, 1997.

4 Q Now, in connection with this April 5, 2001
5 response that was sent to the Commission, there were
6 Ownership Reports that were attached as attachments to this
7 letter, and I guess we have to go off again.

8 (Off the record at 12:16 p.m.)

9 (On the record at 12:19 p.m.)

10 MR. SHOOK: On the record.

11 BY MR. SHOOK:

12 Q Counsel for SFUSD has just gone over with you one
13 of the supplements, or one of the attachments to the April
14 5, 2001 letter, which happened to be a copy of a 1993
15 Ownership Report for KALW. The Ownership Report that
16 counsel has discussed with you consists of three pages and
17 could you tell us how those three pages came to be a part of
18 this April 5 letter?

19 A No, I can't, I don't know how it came to be part
20 of this letter, no.

21 Q Did you personally go through the KALW Public
22 Inspection File to come up with the three pages that now
23 appear as this 1993 Ownership Report?

24 A I can't recall if I did.

25 Q If you did not, did you direct somebody to do it?

1 BY MR. SHOOK:

2 Q I may have asked this and if so, I apologize.
3 Since Mr. Ramirez's departure as Station Manager of KALW FM,
4 have you had any conversations with Mr. Ramirez about the
5 contents of the station's Public File?

6 A None.

7 MR. SHOOK: Now, if we could take a brief look at
8 the 1995 Ownership Report.

9 (Off the record at 12:27 p.m.)

10 (On the record at 12:29 p.m.)

11 MR. SHOOK: Back on the record.

12 BY MR. SHOOK:

13 Q Okay. Counsel for SFUSD has gone over with you
14 now the attachment that is identified as the 1995
15 Supplemental Ownership Report for KALW FM. And first off,
16 do you know how the four pages that appear as the 1995
17 Supplemental Ownership Report came to be a part of the April
18 5 letter that was sent to the FCC?

19 A I don't know that.

20 Q Did you have any, do you have any recollection of
21 gathering the four pages that appear as the Supplemental
22 Ownership Report and sending it to anyone?

23 A I don't have any recollection of doing that.

24 Q Do you have any knowledge as to who may have
25 gathered the four pages and sent them off so that they could